

REMARKS

In accordance with the foregoing, claims 1, 2, 5, 7-9 are amended. New claims 10 and 11 are presented. Claims 1, 2, 5, 7-11 are pending and under consideration.

CLAIM AMENDMENTS

Claim 1 is amended to recite a device for entering a character string into a character string processing device that includes an input part allowing a user to enter the character string to be entered into the character string processing device and an input situation acquiring part for acquiring a situation of the character string processing device that has been started or an activated program on the character string processing device. (See, for example, page 10, starting at line 1).

Dependent claim 2 is amended to recite that for the device for entering a character string according to claim 1, a situation of the character string processing device includes at least one information selected from a group consisting of information relating to a kind of the character string processing device, information relating to a text that the character string processing device can output; information relating to a position in a text that the character string processing device, and information relating to a user inputting the character string. (See, for example, page 10, starting at line 1).

Dependent claims 5 and 7 are amended to correspond to parent claim 1.

Claims 8 and 9 are amended to recite that a method, and a computer computer-readable recording medium storing a method, respectively, for entering a character string into a character string processing device include entering a character string to be entered into the character string processing device, acquiring a situation of the character string processing device that has been started or an activated program on the character string processing device into a character string processing device. (See, for example, page 10, starting at line 1).

No new matter is presented in any of the foregoing and, accordingly, approval and entry of the amended claims are respectfully requested.

NEW CLAIMS

New dependent claims 10-11 present no new matter and are provided to afford a varying scope of protection.

New claims 10 and 11, recite that in the method according to claims 8 and 9 respectively, a situation of the character string processing device comprises at least one information selected from a group consisting of information relating to a kind of the character string processing device

information relating to a text that the character string processing device can output, information relating to a position in a text that the character string processing device, and information relating to a user inputting the character string. (See, for example, page 10, starting at line 1).

No new matter is presented in any of the foregoing and, accordingly, approval and entry of the new claims are respectfully requested

ITEM 5: REJECTION OF CLAIMS 1 AND 8-9 FOR OBVIOUSNESS UNDER 35 U.S.C. §103 BY YANG (U.S.P. 6,005,498) IN VIEW OF MATSUSHITA ELECTRIC INDUSTRIAL CO. (JP APP. PUB. NUMBER HEI 7-129572A) (MATSUSHITA) AND MILLER ET AL. (U.S.P. 5,896,321)

Independent claims 1 and 8-9 are rejected for obviousness under 35 U.S.C. § 103(a) over Yang in view of Matsushita and Miller.

***Prima Facie* Obviousness Not Established**

Acquiring A Situation Of Character String Processing Device Not Described By Cited Art Alone Or In Combination

Affirming A Dictionary Used For Generating Candidate Character String In Accordance With The Situation Acquired And Designating It As A Situation-Optimized Dictionary Not Described By Cited Art Alone Or In Combination

As provided in MPEP §2143.03: "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F. 2d 1981, (CCPA 1974)."

Independent claim 1 recites an input situation acquiring part for acquiring a situation of a character string processing device that has been started or an activated program on the character string processing device. Claim 1 further recites a situation control part for affirming a dictionary used for generating a candidate character string or a part of such a dictionary in accordance with the situation acquired with the input situation acquiring part and designating it as a situation-optimized dictionary.

Independent claims 8 and 9 recite a method, and a computer-readable recording medium storing a method, respectively, for acquiring a situation of the character string processing device that has been started or an activated program on the character string processing device into a character string processing device and affirming a dictionary used for generating a candidate character string or a part of such a dictionary in accordance with the acquired situation designating it as a situation-optimized dictionary.

The Examiner contends that Yang describes:

an input situation acquiring part for acquiring a situation (Yang on col. 3, lines 15-17 teaches a MENU key that allows the user to select a "pinyin entry" option) of a character inputting device that has been started or an activated program, into

which a character string is input (Yang on col. 2, lines 39-52 and col. 6, lines 1-4 teaches a reduced entry keypad (character inputting device) to allow Chinese characters to be efficiently entered).

(Action at page 3).

Applicant submits that none of the cited art, including Yang, describes acquiring a situation of a character string processing device as the Examiner contends. Any "acquiring" by the cited art is only in relation to a character not a character device. For example, Yang only describes (col. 3, lines 17-20):

(d)uring pinyin entry mode, the number of times a single key is pressed in succession determines the selected roman letter.

Matsushita only describes (translation page 2, lines 8-10):

a dictionary selection part that decides respective special dictionary to be retrieved and the retrieving order by referring to the using times and the arranged order of the respective dictionary recorded

Applicant submits that a "number of times" a key is pressed or "using times" does not describe a "situation" of the character string device. Likewise, Miller only describes (col. 9, lines 19-23)

(if) the complete data entry does not correspond to an entry in the static or dynamic dictionary, the word prediction system adds the complete data entry to the dynamic dictionary and deletes another data.

In addition, none of the cited art describes affirming a dictionary used for generating a candidate character string in accordance with the situation i.e., situation of the character string processing device acquired and designating it as a situation-optimized i.e., optimized for the situation of the character string processing device

Since features of independent claims 1, 8, and 9 are not described by the cited art alone or in combination, the rejection should be withdrawn.

No Teaching Or Reasonable Expectation Of Success To Combine Cited Art In A Manner Suggested By The Examiner

The Action concedes that Yang does not describe:

"a situation control part for affirming a dictionary used for generating a candidate character string and designating it as a situation-optimized dictionary" and "generating a string that is optimal for the situation using the situation-optimized dictionary designated by the situation control part."

(Action at page. 3).

The Examiner contends that Matsushita teaches a dictionary selection part that selects a special dictionary "based on the acquiring situation inasmuch as factors include the time of input", and that it is obvious to modify Yang. (Action at page 4).

As provided in MPEP §2143 entitled Basic Requirements of a *Prima Facie* Case of Obviousness:

(t)he teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Even assuming *arguendo* that Matsushita or Yang describe features as contended by the Examiner, which they do not, Applicant submits there is no stated motivation, or reasonable expectation of success to combine Yang with Matsushita in a manner as suggested by the Examiner. Yang describes (col. 2, lines 48-50) a "reduced" keypad entry apparatus and method for "electronic devices with reduced keypads, which have fewer keys than alphabet symbols." Matsushita describes a converter that does not include a reduced keypad.

The Action also concedes that Yang and Matsushita do not describe "updating the contents of the situation-optimized dictionary dynamically." (Action at page 4). However, the Examiner contends the features are found in Miller and there is motivation to combine the art.

Applicant submits that Miller describes (col. 4, line 16) only a "reduced-size keyboard," and that there is no motivation to modify Yang and Matsushita with Miller. Further, although it may *arguendo* be known to optimize a dictionary based on a standard, it is not obvious to optimize a dictionary in accordance with a standard of "situation of a character string processing device that has been started or an activated program on the character string processing device."

Since there is no motivation to combine the art, the rejection should be withdrawn and independent claims 1 and 8-9 allowed.

Conclusion

Since *prima facie* obviousness is not established the rejection should be withdrawn and claims 1 and 8-9 allowed.

ITEM 5: REJECTION OF CLAIM 2 FOR OBVIOUSNESS UNDER 35 U.S.C. §103 BY YANG) IN VIEW OF MATSUSHITA AND MILLER

Dependent claim 2, as amended, is rejected for obviousness under 35 U.S.C. § 103(a) over Yang et al. in view of Matsushita and Miller.

***Prima Facie* Obviousness Not Established: Situation Of Character String Processing Device Not Described**

Dependent claim 2 (as amended) recites that the situation of the character string processing device includes at least one information selected from a group consisting of information relating to a kind of the character string processing device.

Yang or any of the other cited art do not describe any situation relating to a kind of device.

Conclusion

Since *prima facie* obviousness is not established the rejection should be withdrawn and dependent claim 2 allowed.

ITEM 6: REJECTION OF CLAIM 5 FOR OBVIOUSNESS UNDER 35 U.S.C. §103 BY YANG IN VIEW OF MATSUSHITA, MILLER, CANON (JP App. Pub. Number *Hei* 9 (1997)-6771 AND BISHOP (U.S.P. 5,829,023)

Dependent claim 5 recites a storing part stores a storage date of an affirmed character string as a last-access date when storing the affirmed character string, the date when a character string that is already stored is accessed is used to change the last-access date, and the last-access date is used when the candidate character string generation part generates the output candidate character string.

***Prima Facie* Obviousness Not Established: Storing Storage Date Of Affirmed Character String As Last-Access Date Not Described**

The Action concedes that Yang, Matsushita, and Miller do not describe:

"storing a last-access date of an affirmed character string when storing the string" and "using the last-access date when generating the output candidate character string".

(Action at page 6). The Action also concedes that Yang, Matsushita, Miller, and Canon do not teach "changing the last-access date of an already-stored string when it is accessed." (Action at page 6).

The Examiner contends that Canon teaches:

reading "the date and time of registration" of a string in a dictionary (Canon Abstract, CONSTITUTION, line 6), which inherently required that the date and time be stored when the string was stored.

(Action at page 3). The Examiner also contends that Bishop teaches maintaining a file attribute containing information concerning the date and frequency of use of a particular file. (Action at page 3)

Applicant submits that nothing in lines cited by the Examiner, or anywhere else in the cited art, describes storing a storage date of an affirmed character string as a last access date.

Official Notice Not Supported

The Examiner contends that Yang, Matsushita, Miller, and Canon are obvious to modify with Bishop so "users would be most likely to want to access files (or strings) which they had most recently accessed."

Applicant submits that the Examiner is incorrectly taking Official Notice. As set forth in MPEP § 2144.03:

(i)t would not be appropriate for the examiner to take official notice of facts without citing a prior art reference where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well-known. For example, assertions of technical facts . . . must always be supported by citation to some reference work recognized as standard in the pertinent art.

Conclusion

Since *prima facie* obviousness is not established and the Examiner's official notice not supported, the rejection should be withdrawn and the dependent claim 5 allowed.

Item 7: REJECTION OF CLAIM 7 FOR OBVIOUSNESS UNDER 35 U.S.C. §103 BY YANG IN VIEW OF MATSUSHITA, MILLER, CANON, BISHOP, HITACHI (JP App. Pub. Number Sho 61-32186) AND JUST SYST (JP App. Pub. Number Hei 9-179859)

Dependent claim 7 recites associating character strings that are used in a pre-existing electronic text with information relating to a user creating the electronic text, information relating to a time when the electronic text has been created, and information relating to a character string processing apparatus by which the electronic text has been created.

***Prima Facie* Obviousness Not Established: Associating Character Strings Used In Pre-existing Text With Information Relating To User Creating The Text Not Described By The Cited Art Alone Or In Combination**

The Action concedes that Yang, Matsushita, Miller, Canon, and Bishop do not teach associating character strings that are used in a pre-existing electronic text with information relating to a user creating the electronic text". (Action at page 7).

The Examiner contends that Hitachi suggests:

"associating character strings with the user creating the electronic text" on the translation of page 4, lines 1-9 teaches storing different content for different user so as to increase processing efficiency.

(Action at page 7).

However, all that Hitachi describes is that a content that the "individual user never uses is not stored in the dictionary." (Translation page 4, lines 7-8). Just Syst also does not describe any user association.

Conclusion

Since *prima facie* obviousness is not established, the rejection should be withdrawn and dependent claim 7 allowed.

NEW CLAIMS

New claims 10 and 11, recite that in the method according to claims 8 and 9 respectively, wherein situations of the character string processing device comprise at least one information selected from the group consisting of information relating to a kind of the character string processing device information relating to a text that the character string processing device can

output, information relating to a position in a text that the character string processing device, and information relating to a user inputting the character string.

These, and other, features of claims 10-11 are patentably distinguishable from the cited art, and they are submitted to be allowable for the recitations therein.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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